

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST LITIGATION

No. 0:18-cv-01776-JRT-HB

This Document Relates To: All Actions

**DEFENDANTS' JOINT MOTION
TO DISMISS THE DIRECT
PURCHASER PLAINTIFFS'
COMPLAINT AND THE
FEDERAL LAW CLAIMS IN THE
INDIRECT PURCHASER
PLAINTIFFS' COMPLAINTS FOR
FAILURE TO STATE A CLAIM
UPON WHICH RELIEF MAY BE
GRANTED**

Defendants jointly move pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for dismissal of the Direct Purchaser Plaintiffs' First Amended and Consolidated Class Action Complaint and dismissal of the federal law claims in the Commercial and Individual Indirect Purchaser Plaintiffs' First Amended and Consolidated Class Action Complaints in the above-captioned action.¹

This Motion is supported by the Memorandum of Law in Support of Defendants' Joint Motion to Dismiss the Direct Purchaser Plaintiffs' Complaint and the Federal Law Claims in the Indirect Purchaser Plaintiffs' Complaints for Failure to State a Claim Upon

¹ This action consolidated thirteen separately-filed actions. (Dkt. No. 85.) The docket numbers for the Consolidated Complaints subject to this Motion are as follows: 18-cv-01776-JRT-HB (Dkt. No. 74); 18-cv-01803-JRT-HB (Dkt. No. 83); 18-cv-01810-JRT-HB (Dkt. No. 70); 18-cv-01891-JRT-HB (Dkt. No. 63); 18-cv-01946-JRT-HB (Dkt. No. 59); 18-cv-02008-JRT-HB (Dkt. No. 70); 18-cv-02044-JRT-HB (Dkt. No. 66); 18-cv-02058-JRT-HB (Dkt. No. 64); 18-cv-02113-JRT-HB (Dkt. No. 54); 18-cv-02337-JRT-HB (Dkt. No. 32); 18-cv-02338-JRT-HB (Dkt. No. 32); 18-cv-02390-JRT-HB (Dkt. No. 34); and 18-cv-02405-JRT-HB (Dkt. No. 9).

Which Relief May Be Granted, the Declaration of John A. Kvinge and accompanying exhibits, and all of the files, records, and proceedings herein.

Date: October 23, 2018

Respectfully submitted,

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